



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

10/782310

NOTICE OF FAILURE TO FULLY RESPOND TO  
NOTICE REQUIRING EXCESS CLAIMS FEES  
*No New Time Period for Reply is Provided*

The reply filed on 1-4-06 is not fully responsive to the Notice Requiring Excess Claims Fees mailed on 11-23-05 because the required fee(s) has not been paid. The fee(s) listed below must be timely filed to avoid abandonment of this application. The time period for reply continues to run from the mailing date of the Notice Requiring Excess Claims Fees. No new time period for reply is provided in this communication.

If the period for reply set forth in the Notice Requiring Excess Claims Fees has expired, this application will become ABANDONED unless applicant: (1) corrects the deficiency, and (2) obtains an extension of time under 37 CFR 1.136(a), within SIX (6) MONTHS from the mailing date of the Notice Requiring Excess Claims Fees.

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee due. The expiration of the time period is determined by the amount of the fee paid.

TOTAL EXCESS CLAIMS FEES DUE \$25.00 (See note below.)  
Applicant must also submit the appropriate extension of time fee as set forth in 37 CFR 1.17(a).

Explanation (Provide specific details of fee(s) required (e.g., credit card authorization refused; service charge(s) not remitted; amount of fee(s) due has changed, etc.)):

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**NOTE: THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.17, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>.**

Zwande Brown (571) 272-6577  
Technical Support Staff (TSS)

Note to TSS: Please do NOT use this Notice unless a Notice Requiring Excess Claims Fees (PTOL-319) has already been mailed.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D. Whyte

Examiner: Tran, K.

Application: 10/782,310

Art Unit: 3651

Filed: 2/18/04

Feb. 12, 2006

Sir:

In response to a NOTICE OF FAILURE TO FULLY RESPOND mailed 1/19/06 (copy enclosed), please find enclosed a check 915 for the required \$25.00. And a petition to extend period for response to 2/23/06. An earlier petition to extend period to respond by one month until 1/23/06 with a check for \$ 60.00 had been mailed 1/4/06. Therefore the balance owed for extending to 2/23/06 (two months) is \$ 165.00. and is enclosed

Respectfully submitted,

Robert Samuel Smith 31,305

I certify that I have placed this document in an envelope addressed to the Comissioner of Patents and deposited it with the U.S. Postal Service. 2/21/06

Certificate number EQ 190870221